

**ARIZONA DEPARTMENT OF HEALTH SERVICES  
DIVISION OF ASSURANCE AND LICENSURE  
OFFICE OF THE ASSISTANT DIRECTOR  
SUBSTANTIVE POLICY STATEMENT # SP-017-ALS-OAD**

**CONSIDERATIONS BEFORE TAKING ACTION UNDER A.R.S. § 36-427(A)(1)**

The purpose of this substantive policy statement is to notify the public of the factors that the Department considers before suspending or revoking a health care institution's license for violating A.R.S. Title 36, Chapter 4, or rules adopted pursuant to A.R.S. Title 36, Chapter 4. [A.R.S. § 36-427(A)(1)]

The Department considers the following factors when determining whether to take action under A.R.S. § 36-427(A)(1):

1. Repeated violations of statutes or rules,
2. Patterns of noncompliance with statutes or rules,
3. Types of violations of statutes or rules,
4. Severity of violations of statutes or rules,
5. Potential for and occurrences of actual harm,
6. Threats to health and safety,
7. Number of persons affected by the violations of statutes or rules,
8. Number of violations of statutes or rules,
9. Length of time that the violations of statutes or rules have been occurring,
10. Nonpayment of civil penalties assessed under A.R.S. § 36-431.01, and
11. Noncompliance with a stipulation agreement between the Department and the licensee.

This substantive policy is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.